

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ANGELICA C. WINN,

Plaintiff,

No. 6:14-cv-00564-HZ

v.

ORDER

NANCY A. BERRYHILL,
Acting Commissioner of Social
Security,

Defendant.

HERNÁNDEZ, District Judge:

Plaintiff Angelica Winn brought this action seeking review of the Commissioner's final decision to deny her disability insurance benefits (DIB). In a June 9, 2015, Opinion & Order, I reversed the Commissioner's decision and remanded the case for further proceedings. Judgment was entered on June 9, 2015. The additional proceedings resulted in payment of benefits. Pl.'s Mot. Ex. A, ECF 35-1.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Defendant has no objection to the request. The Court has reviewed the record in the case, the motion, and the

supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable.

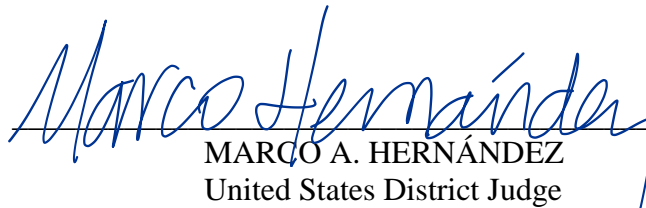
The Court grants Plaintiff's motion [35] and awards Plaintiff's counsel \$19,764.75 in attorney's fees under 42 U.S.C. § 406(b). Previously, the Court awarded Plaintiff attorney's fees in the amount of \$5,887.97 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously awarded under EAJA and send Plaintiff's attorney the balance of \$13,876.78, less any applicable processing fees as allowed by statute.

CONCLUSION

Plaintiff's Motion for Attorney Fees [35] is granted. The Commissioner is directed to pay Plaintiff's attorney \$13,876.78, less any applicable processing fees as allowed by statute.

IT IS SO ORDERED.

DATED this 11 day of Feb, 2017.


MARCO A. HERNÁNDEZ
United States District Judge